Remarks

Claims 1-37 are pending in this application. In an Office Action mailed June 27, 2005, the Examiner rejected claims 1 and 6-8 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,978,467 to Walker *et al.* (Walker) in view of U.S. Patent No. 5,140,626 to Ory *et al.* (Ory). The Examiner rejected claims 2 and 3 under 35 U.S.C. § 103(a) as being unpatentable over Walker and Ory in further view of U.S. patent No. 5,652,789 to Miner *et al.* (Miner). The Examiner rejected claims 4, 5, 10, 13, 17-19, 21, 24, 29, 30, 32 and 35 under 35 U.S.C. § 103(a) as being unpatentable over Walker and Ory in further view of U.S. Patent No. 6,212,261 to Meubus *et al.* (Meubus). The Examiner rejected claims 14-16 and 27 under 35 U.S.C. § 103(a) as being unpatentable over Walker, Ory and Meubus in further view of Miner. The Examiner rejected claims 9, 11, 12, 20, 22, 23, 31, 33 and 34 under 35 U.S.C. § 103(a) as being unpatentable over Walker, Ory and Meubus in further view of U.S. Patent No. 6,064,730 to Ginsberg (Ginsberg). The Examiner rejected claims 25 and 37 under 35 U.S.C. § 103(a) as being unpatentable over Walker, Ory and Meubus in further view of U.S. Patent No. 5,742,675 to Kilander *et al.* (Kilander). The Examiner rejected claims 26 and 36 under 35 U.S.C. § 103(a) as being unpatentable over Walker and Ory in further view of U.S. Patent No. 5,982,859 to Meek *et al.* (Meek). Applicants respectfully request reconsideration in light of the following remarks.

Claim 1 provides a method of call queuing notification implemented in a telecommunications advanced intelligent SS7 network. A call to access a subscriber line is received. A determination is made, within the telecommunications SS7 network, that the subscriber line is busy. The subscriber line access call is placed in a queue associated with the subscriber line. The queue is implemented within the telecommunications SS7 network and holds a plurality of calls to the subscriber line. A separate call is placed to the subscriber from the telecommunications SS7 network indicating status of the queued subscriber line access call.

The Examiner rejected claim 1 as an obvious combination of Walker and Ory. The Examiner asserts that Walker discloses Applicants' queuing implemented within in an intellignet network. On the contrary, Walker discloses queuing implemented within a private switching network outside of an SS7 network.

> The invention takes advantage of the features and functionality offered by **premise-based ACDs**.
>
> Walker, col. 2, ll. 19-20 (emphasis added).
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> Referring to FIG. 1, a priority phone queuing system incorporating the invention includes a **Private** Branch Exchange (PBX) 10, an ACD 12 and an IVRU 14. PBX 10 receives incoming calls via trunk 11 and is, via trunk 20, connected to a plurality of agent terminals 16. PBX 10 further provides caller data to **ACD 12 which handles queuing management of the calls** and further controls the operation of IVRU 14.
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> Walker, col. 2, ln. 66-col. 3, ln. 6.

The queuing described in Walker takes place in a subscriber-provided ACD outside of an intelligent SS7 network.

The Examiner admits that Walker does not disclose placing a separate call to the subscriber indicating status of the queued subscriber line access call, as provided in claim 1. Instead, the Examiner proposes Ory. However, Ory does not disclose placing a second telephone call. Rather, Ory discloses using a separate radio paging system to contact a third party.

> The invention is a method and system for establishing a direct telephone connection between a calling party and a paged party through the use of a low power, **site specific RF paging network and a PBX telephone network operating in parallel with the paging network**. . . .
>
> In response to selection of the "paging" option by the caller, the APU sends a paging signal to a **site-specific radio transmission means** (which may be positioned to provide limited coverage to an office, a factory, or the like). . . . The paged party carries a badge designed to vibrate (or otherwise signal the badge holder) upon reception of a radio frequency paging signal including the paged party's identification code.
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> * * * *
>
> An important benefit of the invention is that it **enables a PBX system** with only a few shared telephones to serve many people efficiently, since the inventive APU allows those people sharing the telephones to configure their badges so that they will be alerted whenever they receive an incoming call (regardless of their proximity to any particular telephone). The invention is not merely a paging system. Instead, the invention enables more complete integration of PBX system users with a

> telecommunications/voice system, and enables employers to remain in close contact with their employees. No human operator is required to perform the functions of the inventive system. **Employees need not wear bulky conventional beepers to use the inventive system**. Rather, they need only wear a modified version of their company badge.
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> Ory, col. 1, ln. 47-col. 2, ln. 42 (emphasis added).

As can be seen in Ory's Fig. 1, the PBX and VPM lie outside of an SS7 network. Moreover, VPM (6) establishes a separate radio network (10) for notifying employees. No "separate call" is placed, as provided by claim 1.

Claim 1 is patentable over any combination of Walker and Ory. Claims 2-12, which depend from claim 1, are therefore also patentable.

Independent claim 13 provides a system for call queue notification implemented in an Advanced Intelligent Network (AIN) having at least one central office switch and a service control point in electrical communication with subscriber switches via a signaling network. The system includes an intelligent peripheral in electrical communication with the central office switch and the service control point. The intelligent peripheral is equipped with queuing functionality for each subscriber operative to queue a plurality of calls to each subscriber. The intelligent peripheral places a first call to the central office switch for receipt by a subscriber having a call placed in queue, the call placed in response to a determination that a line associated with the subscriber is idle. The intelligent peripheral further places a second call providing status information to the subscriber about at least one queued call.

The Examiner rejected claim 13 as an obvious combination of Walker, Ory and Meubus. The Examiner's sole basis for rejecting claim 13 is as follows:

> Claims 13 and 24 are rejected for the same reasons as discussed above with respect to claim 1. Furthermore, Meubus et al. teach a service control point (SCP) and central office switch / switches (col. 6, lines 42-47), an intelligent peripheral (Fig. 1, GA19).
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> Office Action, pg. 5.

As described above, neither Walker nor Ory teach or fairly suggest placing a second call to the subscriber providing status information.

In addition, Meubus' gateway (19) is not Applicants' intelligent peripheral. First, Meubus' does not disclose queuing calls anywhere for any reason. Meubus' gateway is not "operative to queue a plurality of calls to each subscriber" as provided in claim 13. Second, Meubus' gateway (19) never places a call anywhere for any reason, let alone the two calls required in claim 13. The element of Meubus identified by the Examiner as disclosing Applicants' intelligent peripheral is not described by Meubus as being capable of performing any of the operations required by Applicants' intelligent peripheral.

Claim 13 is patentable over any combination of Walker, Ory or Meubus. Claims 14-23, which depend from claim 13, are therefore also patentable.

Independent claim 24 provides a method for notifying a subscriber of queued call status, the call placed from a caller to a subscriber line, the call processed by an Advanced Intelligent Network (AIN) having at least one cental office switch and a service control point (SCP) in electrical communication with a plurality of subscriber switches via a signaling network. An intelligent peripheral within the AIN is provided in electrical communication with the at least one cental office switch and the SCP. The intelligent peripheral is equipped with queuing functionality operative to queue a plurality of calls to the subscriber. A first call is received to access a subscriber line. A determination is made that the subscriber line is busy. The first call is queued in the intelligent peripheral. A second call is placed from the intelligent peripheral to the subscriber indicating status of the queued first call.

The Examiner rejected claim 24 using the same argument as for claim 13. While not agreeing that these claims have the same scope, claim 24 is patentable for the same reasons provided above. Claims 25-34, which depend from claim 24, are therefore also patentable.

Independent claim 35 provides a method of notification about queuing of a telephone call from a caller to a subscriber telephone line. An intelligent peripheral within the AIN is provided in electrical communication with a central office switch and an SCP. The intelligent peripheral is equipped with queuing functionality for each of the subscribers operative to queue a plurality of calls to each of the subscribers. Signaling is monitored to detect a TAT trigger. A first electrical signal is generated for receipt by the SCP in response to the detected TAT trigger. A second electrical signal is generated at the SCP for receipt by

the intelligent peripheral requesting status of a queue associated with the subscriber line. A third electrical signal is generated at the SCP for receipt by the subscriber switch instructing the subscriber switch to forward the call to the intelligent peripheral to be added to the queue in response to a determination that the queue is active. A call is placed from the intelligent peripheral to a subscriber subscribing to the subscriber telephone line indicating status of the queued call.

The Examiner rejected claim 35 "for the same reason as discussed above with respect to claim 24." (Office Action, pg. 5.) Without agreeing that claim 35 has the same scope as claim 24, claim 35 is patentable for the reasons provided above. Claims 36 and 37 depend from claim 35 and are therefore also patentable.

Claims 1-37, as amended, are pending in this application. Applicants believe these claims meet all substantive requirements for patentability and respectfully request that this case be passed to issuance. No fee is believed due by filing this paper. However, any fee due may be withdrawn from Deposit Account No. 21-0456 as specified in the Application Transmittal.

The Examiner is invited to contact the undersigned to discuss any aspect of this case.

Respectfully submitted,

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